

VZCZCXRO8027  
PP RUEHTRO  
DE RUEHAS #0750/01 1841050  
ZNY CCCCC ZZH  
P 021050Z JUL 08  
FM AMEMBASSY ALGIERS  
TO RUEHC/SECSTATE WASHDC PRIORITY 6060  
INFO RUEHFR/AMEMBASSY PARIS 2788  
RUEHMD/AMEMBASSY MADRID 8984  
RUEHRB/AMEMBASSY RABAT 2421  
RUEHTU/AMEMBASSY TUNIS 7275  
RUEHTRO/AMEMBASSY TRIPOLI  
RUEHNC/AMEMBASSY NOUAKCHOTT 6442  
RUEHNM/AMEMBASSY NIAMEY 1662  
RUEHBP/AMEMBASSY BAMAKO 0620  
RUEHCL/AMCONSUL CASABLANCA 3472  
RHMFISS/HQ USEUCOM VAIHINGEN GE

C O N F I D E N T I A L SECTION 01 OF 02 ALGIERS 000750

SIPDIS

E.O. 12958: DECL: 07/01/2018

TAGS: [PGOV](#) [KDEM](#) [AG](#)

SUBJECT: KEY OFFICIALS SAY CONSTITUTIONAL CHANGE IS IMMINENT

REF: ALGIERS 728

Classified By: Charge d'Affaires, a.i. Thomas F. Daughton;  
reasons 1.4 (b) and (d).

¶1. (C) SUMMARY: Although the Algerian press over the past nine months has regularly trumpeted that constitutional change was coming any day, June 30 conversations with new Prime Minister Ahmed Ouyahia, parliamentary Speaker Abdelaziz Ziari and prominent senators and MPs suggested that the effort to revise the Algerian constitution may finally be at hand. The process will likely focus on two aspects of executive power, and it appears certain that President Abdelaziz Bouteflika will submit the amendments to a special joint session of parliament rather than to a national referendum. According to PM Ouyahia, one aim will be to make the Algerian political system "more presidential" and less of a hybrid between the president as head of state and the prime minister as head of government. The goal, as expressed to us by the officials who will be driving the revision, is to improve coordination in the executive branch and reduce the gap between the presidential program and the prime minister's legislative agenda. We take this to mean either that the powers of the prime minister will be significantly redefined or that the post will be transformed, perhaps into a position of vice president. The second item is the elimination of the two-term limit on the presidency, which our interlocutors claimed was a "secondary issue." All indications are that the process could be very quick and, given the Algerian penchant for symbolism, may even follow on the heels of the July 5 Algerian independence day holiday. END SUMMARY.

AN END TO "BICEPHALISM"

¶2. (C) The June 28-30 visit of Rep. Betty McCollum, who was granted an unusual number of high-level meetings, allowed us an opportunity to ask Algeria's top officials directly about the long-rumored process of constitutional change. Just a week after being reappointed prime minister (reftel), Ahmed Ouyahia told Codel McCollum that nobody should be surprised by President Bouteflika's intent to revise the constitution, since "he said it in 1999" when he took office and then "confirmed it two years ago." Ouyahia told us that the revisions would focus only on the organization of executive power and that there would be no re-examination of the current constitution's treatment of basic principles, individual rights, or relations among the three branches of government.

¶3. (C) National Assembly (APN) President Abdelaziz Ziari summarized the coming revision by stressing the need to

remove "bicephalism" from the Algerian executive branch, making the system "more presidential." He explained that there has been a systemic gap between the agenda of the president and the legislative agenda, with the prime minister straddling a hazy line in the middle. Ouyahia told Codel McCollum that successful government in Algeria has depended not on its institutions but rather on the relationship between the president and the PM. Referring to the Algerian constitution as a hybrid "DeGaulle model," Ouyahia said that the closest the Algerian system had ever been to a true presidential system was under President Houari Boumediene when he chose to leave the prime minister's seat vacant.

ALREADY MISSED THE OPPORTUNITY ONCE  
-----

¶4. (C) PM Ouyahia told Codel McCollum that Lamine Zeroual, who was president during Ouyahia's first term as prime minister from 1995-98, missed an opportunity in 1996 to address the same constitutional problems. (Note: In 1996, Zeroual amended the constitution to clarify rules on the creation of political parties. Ouyahia implied that Zeroual could have added other items to the amendment process at the same time but chose not to. End Note.) Ouyahia claimed he told Zeroual at that time that the role of the prime minister as head of government "did not make sense," since in many other countries the head of government is the actual head of state. In Zeroual's favor, Ouyahia conceded, during the turmoil of the 1990s the prime minister served as a "firewall" to help maintain the stability of the regime. Ziari was quick to point out that the "temptation was great"

ALGIERS 00000750 002 OF 002

to roll back civil liberties and freedoms during the 1990s, but that "we chose not to do that."

A LITTLE LESS CONVERSATION  
-----

¶5. (C) Abdelhamid Si Afif, chairman of the foreign affairs committee in the lower house, told Charge on the margins of a June 30 lunch for Codel McCollum that he expected parliament to approve the proposed amendments to the constitution in a special joint session of both houses to be held prior to the recess of the current parliamentary session in mid-July. When asked if that would allow enough time for debate about the proposals, Si Afif replied that there would be no debate: "The amendments will be presented to the joint session and we will vote." Senator Mohieddine Amimour told us the evening of June 30 that he expected approving the amendments to be one day's work. Amimour anticipated some discussion about clarifying the institutional elements of the executive branch, but added that lifting the term limit "could be done in fifteen minutes." Ziari also characterized term limits as "a secondary issue," less important than streamlining the executive branch and addressing the position of the prime minister. Amimour said the process was ready to go and could occur as early as the week of July 5.

COMMENT: READY TO LAUNCH  
-----

¶6. (C) The current Algerian system was an attempt to copy the structure of DeGaulle's Fifth Republic, but has always placed greater emphasis on the president's agenda. By law, if parliament does not approve a bill it is dissolved. Thus, if Bouteflika formally presents his constitutional amendments to a special joint session, parliament technically risks its own survival by opposing them. Ouyahia, Ziari, Si Afif and Amimour all spoke of the need to ease political stagnation and implement Bouteflika's agenda. According to Ouyahia, the mood of the Algerian people "is that Bouteflika is doing great things but the people around him are holding him back." Given that revising the constitution is one of several heavily publicized priorities for Ouyahia's latest stint as prime minister, it appears that the process may now be

imminent. Ouyahia's paeon to the glory days of Boumediene, when presidential authority was unfettered by a prime minister, suggests that the PM's role may shortly be considerably circumscribed, perhaps through redefinition of the post or even conversion of it to a vice presidency. Judging from the unanimity among the officials with whom we spoke, it also appears highly likely that the two-term limit on the presidency will be abolished.

DAUGHTON